

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction – January 4, 2005
Public Hearing – January 25, 2005

CONTACT PERSON/PHONE: Jorge E. Rousselin, 541-4723

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of Lot 32, Block 3, Sahara Subdivision, El Paso, El Paso County, Texas, from R-4 (Residential) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.
Applicant: Arturo Levario. ZON04-00146. **(District 4)**

BACKGROUND / DISCUSSION:

See attached staff report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Denial Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 32, BLOCK 3, SAHARA SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *Lot 32, Block 3, Sahara Subdivision, El Paso, El Paso County, Texas*, be changed from **R-4 (Residential)** to **C-4 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of **January 2005**.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

Jorge E. Rousselin, Urban Planner
Planning, Research & Development

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:

Matt Watson, Assistant City Attorney

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



GEORGE G. SARMIENTO, AICP
DIRECTOR

**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

December 23, 2004

CITY COUNCIL

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DISTRICT NO. 2

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DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

TO: The Honorable Mayor and City Council
Ms. Joyce A. Wilson

FROM: Jorge E. Rousselin

SUBJECT: ZON04-00146

The City Plan Commission (CPC), on December 02, 2004, voted **4 - 2** to recommend **APPROVAL** of the proposed rezoning from R-4 (Residential) to C-4 (Commercial), not concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

STAFF REPORT

Rezoning Case: ZON04-00146

Property Owner(s): Arturo Levario

Applicant(s): Same

Representative(s): Andres Lopez

Legal Description: Lot 32, Block 3, Sahara Subdivision

Location: 9849 Taj Mahal

Representative District: # 4

Area: 6,000 sq. ft. Acres

Present Zoning: R-4 (Residential)

Present Use: Vacant

Proposed Zoning: C-4 (Commercial)

Proposed Use: Warehouse

Recognized Neighborhood Associations Contacted: Northeast Civic Association
Northeast Healthy Communities

Surrounding Land Uses:

North -	C-3 (Commercial) / Tire store
South -	C-4 (Commercial) / Automotive sales
East -	R-4 (Residential) / Residence
West-	C-3 (Commercial) / Tire store

Year 2025 Designation: **Mixed-use** (Northeast Planning Area)

1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
Zoning Case: ZON04-00146

General Information:

The applicant is requesting a rezoning from R-4 (Residential) to C-4 (Commercial) in order to permit a warehouse. The property is 6,000 sq. ft. acres in size and is currently Vacant. The proposed site plan shows a 2,925 square feet structure to to be located on the site. Access is proposed via Taj Mahal with three (3) parking spaces provided. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **DENIAL** of this request for rezoning from R-4 (Residential) to C-4 (Commercial).

The recommendation is based on the following:

“provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The Year 2025 Projected General Land Use Map for the **Northeast** Planning Area designates this property for **Mixed-use** land uses.

C-4 (Commercial) zoning permits a Warehouse and **is not compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-4 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will a warehouse be compatible with adjacent land uses?

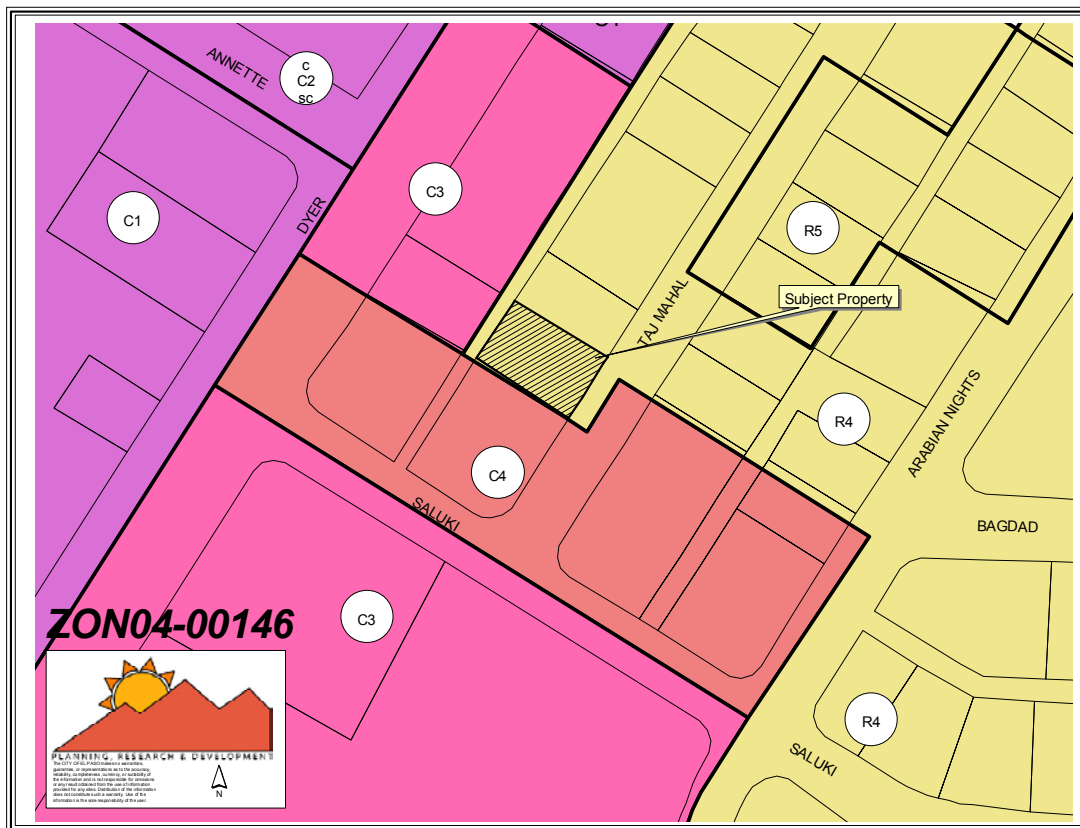
Information To The Applicant:

- Building Permits and Inspections Department, Zoning Division Notes:
 - Motor carrier terminal require a 100' set from residential zone, and any dedicated public right of way or easement.
 - 8' cmu wall require notarized letter from all abutting neighbors and from the City of El Paso on alley. 8' cmu wall not permitted into the front set backs.
 - Building Permits and Inspections objects to the proposed use.
 - Chapter 20.65 will apply to this site and will require approximately 500 s.f
- Engineering Department, Development Division Notes:
 - See attachment 1
- Engineering, Traffic Division Notes:
 - See attachment 2
- Fire Department Notes:
 - No comments submitted
- El Paso Water Utilities Notes:
 - No comments submitted
- Planning, Research and Development Department Notes:
 - Planning has concerns on the potential impact on the proposed residential land uses adjacent to the proposed commercial development as it is residential in character and may cause substantial land use impact on future residential development.

ATTACHMENT: Location Map; Site Plan; Department Comments.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEPARTMENT OF PLANNING AT (915) 541-4056.

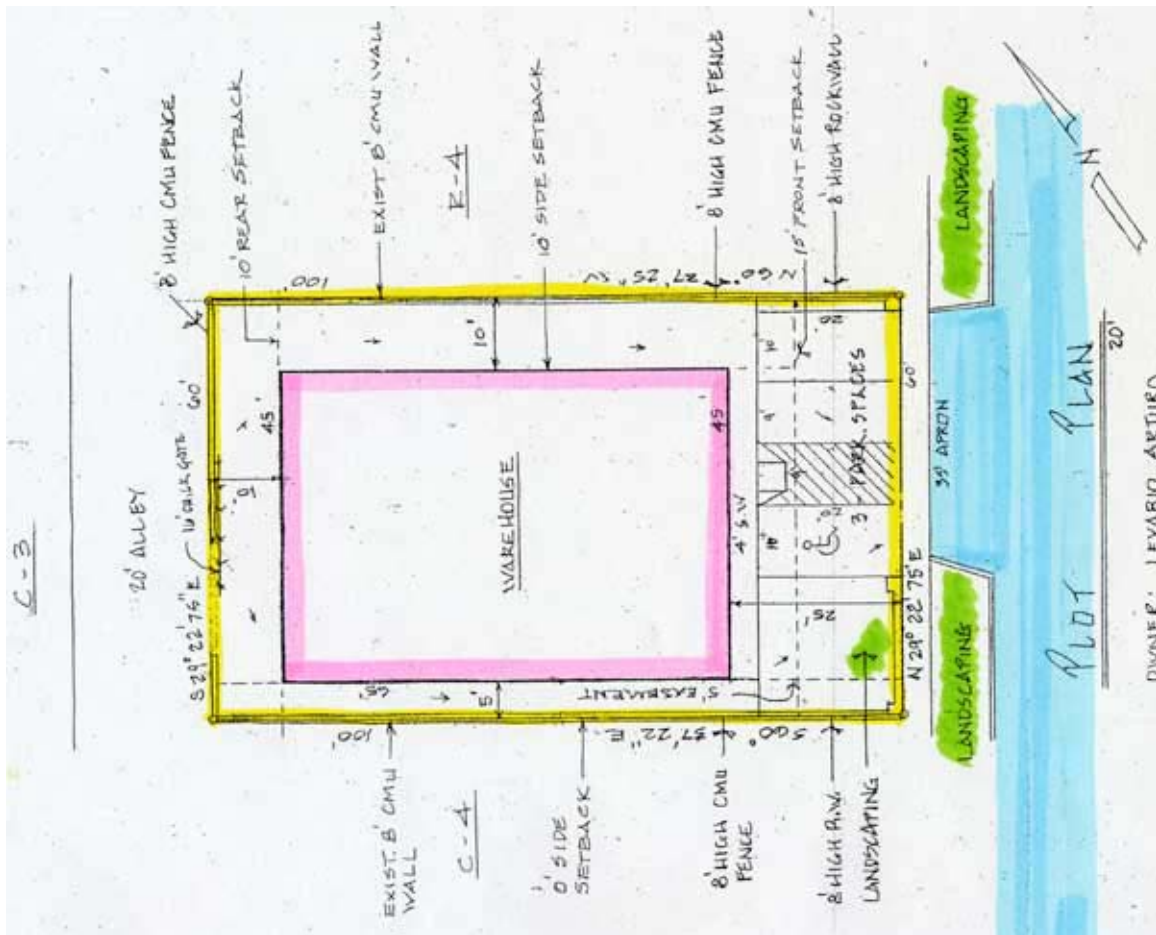
LOCATION MAP



AERIAL



SITE PLAN



TO: PLANNING DEPARTMENT

DATE: March 29, 2004

FROM: Engineering Department

ADDRESS: 9849 **Taj Mahal**

ATTN: Kimberly Forsyth, Jorge Rousselin or
Fred Lopez, Urban Planners

PROPOSED USE: **Warehouse**

CASE NO.: ZON04-00146 Proposed ZONE: C-4

REQUEST: Rezoning from R-4(Residential) to C-4 (Commercial)

LEGAL DESCRIPTION: Lots 32, Blk.3, Sahara Subdivision

- ☐ 1. No comments
- ☐ 2. Must be submitted as a subdivision
- ☒ 3. Handicap accessible, Sidewalks and Driveway will be required.
- ☒ 4. Grading plan and permit required.
- ☐ 5. Storm Water Pollution Prevention details required.
- ☒ 6. Storm Water Pollution Prevention plan and permit required.
- ☒ 7. Drainage plans must be approved by the City Engineer.
- ☐ 8. On site ponding will be required.
- ☐ 9. Private pond is required.
- ☐ 10. No water runoff allowed unto _____.
- ☐ 11. Additional R.O.W. required.
- ☒ 12. Additional Comments: Site location is located within the Special Flood Hazard Area. Zone AH, Panel 20 B. The alley behind Lot 32, Blk.3 will have to paved

Bashar Abugalyon, P. E.
Chief Development Engineer

DISTRICT: **4**

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

RICK CONNER
CITY ENGINEER



November 30, 2004

ENGINEERING DEPARTMENT

CITY COUNCIL

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ANTHONY W. COBOS
DISTRICT NO. 8

TO: Fred Lopez, Planner II/Zoning Coordinator
Kimberly Forsyth, Planner II
Jorge Rousselin, Planner II

COPY TO: Land Development

FROM: Traffic Division

SUBJECT: **ZONO4-00146** 9849 Taj Mahal
Rezoning from M-1 to C-4

Regarding the above referenced DCC item, the Engineering Department has the following comments:

- **No apparent traffic concerns with the zoning change.**

NOTE: Sidewalks shall be provided.

Should your office or the applicant have any questions or comments regarding these issues, please contact Margarita Molina at 541-4223.